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राज्य सरकार तथा अन्य राज्य प्राधिकारियों द्वारा जारी किये गये कानूनी आदेश

तथा अधिसूचनाएं।

LABOUR DEPARTMENT

NOTIFICATION

Jaipur, August 12, 2026

S.O.40.-Whereas a draft of the Code on Wages (Rajasthan) Rules, 2026 was published as required bysub-section (1) of section 67 of theCode on Wages, 2019 (Central Act No. 29 of 2019) published in the Rajasthan Gazette Extraordinary part 4 (ga) up-khand (II) dated January 13, 2026 for inviting objections and suggestions from all persons likely to be affected thereby, before expiry of forty five days from the date on which copies of the Official Gazette containingthe said draft rules were made available to the public;

And whereas the copies of the Official Gazette in which said draft rules were published and made available to the public on January 13, 2026;

And whereasobjections and suggestions received from the public on the said draft rules were considered by the State Government;

Now, therefore in exercise of the powers conferred by section 67 of the Code on Wages, 2019 (Central Act No. 29 of 2019), the State Government hereby makes the following rules, namely:-

CHAPTER I

PRELIMINARY

1. Short title, extent and commencement.- (1) These rules may be called the Code on Wages (Rajasthan) Rules, 2026.

(2) They extend to the whole of the State of Rajasthan.

(3) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.- In these rules, unless the subject or context otherwise requires,-

(a) "authority" means the authority appointed by the State Government under sub-section (1) of section 45;

(b) "appellate authority" means the appellate authority appointed by the State Government under sub-section (1) of section 49;

(c) "appeal" means an appeal preferred under sub-section (1) of section 49;

(d) "Board" means the State Advisory Board constituted by the State Government under sub-section (4) of section 42;

(e) "Chairperson" means the chairperson of the Board;

(f) "Code" means the Code on Wages, 2019 (Central Act No. 29 of 2019);

(g) "committee" means a committee appointed by the State Government under clause (a) of sub-section (1) of section 8;

(h) "day" means a period of 24 hours beginning at mid-night;

(i) "family" means all or any of the following relatives of an employee namely:-

(i) a spouse;

(ii) a minor legitimate or adopted child dependent upon the employee;

(iii) a child who is wholly dependent on the earnings of the employee, and who is,-

(a) receiving education, till he attains the age of twenty-one years; and

(b) an unmarried daughter;

(iv) a child who is infirm by reason of any physical or mental abnormality or injury and is wholly dependent on the earnings of the employee, so long as the infirmity continues; and

(v) dependent parents (including father-in-law and mother-in-law of a woman employee), whose income from all sources does not exceed such income as may be specified by the State Government, from time to time;

(j) "Form" means a form appended to these rules;

(k) "highly skilled occupation" means an occupation which calls in its performance a specific level of perfection and required competence acquired through intensive technical or professional training or practical occupational experience for a considerable period and also requires of an employee to assume full responsibility for his judgment or decision involved in the execution of such occupation;

(l) "Inspector-cum-Facilitator" means a person appointed by the State Government, by notification under sub-section (1) of section 51;

(m) "member" means a member of the Board and includes its Chairperson;

(n) "Geographical Area" means, the areas notified as such by the State Government, from time to time;

(o) "registered trade union" means a trade union registered underthe Industrial Relations Code, 2020 (Central Act No 35 of 2020);

(p) "Schedule" means the schedule appended to these rules;

(q) "section" means a section of the Code;

(r) "semi-skilled occupation" means an occupation which in its performance requires the application of skill gained by the experience on job which is capable of being applied under the supervision or guidance of a skilled employee and includes supervision over the unskilled occupation;

(s) "skilled occupation" means an occupation which involves skill and competence in its performance through experience on the job or through training as an apprentice in a technical or vocational institute and the performance of which calls for initiating and judgment; and

(t) "unskilled occupation" means an occupation which in its performance requires the application of simply the operating experience and involves no further skills.

(2) All other words and expressions used in these rules and not defined in these rules shall have the meanings respectively assigned to them under the Code.

CHAPTER II

MINIMUM WAGES

3. Manner of calculating the minimum rate of wages.- (1) for the purposes of sub-section (5) of section 6, the minimum rate of wages shall be fixed on the day basis keeping in view the following criteria, namely:-

(i) the standard working class family which includes a spouse and two children apart from the earning Employee, an equivalent of three adult consumption units;

(ii) net intake of 2700 calories per day per consumption unit;

(iii) 66 meters cloth per year per standard working class family;

(iv) Housing rent expenditure to constitute 10 percent of food and clothing expenditure;

(v) Fuel, electricity and other miscellaneous items of expenditure to constitute 20 percent of minimum wage; and

(vi) Expenditure for children education, medical requirement, recreation and expenditure on contingencies to constitute 25 percent of minimum wage.

(2) when the rate of wages for a day is fixed, then, such amount shall be divided by eight for fixing the rate of wages for an hour and multiplied by twenty six for fixing the rate of wages for a month and in such division and multiplication the factors of one-half and more than one-half shall be rounded as next figure and

the factors less than one-half shall be ignored.In case of five days working week, the hourly rate of minimum wages so calculated shall be used to derive the minimum wages for the day.

4. Norms for fixation of minimum rate of wages.- (1) While fixing the minimum rates of wages under section 6, the State Government shall take into account the following:-

(i) geographical area;

(ii) experience in the area of employment; and

(iii) level of skill required for working under the categories of unskilled, semi-skilled, skilled and highly skilled.

(2) The State Government shall constitute a technical committee for the purpose of advising the State Government in respect of skill categorization of occupation, arduousness of work, hazardous occupations or processes and underground work and like other categorization, which shall consist of the following members, namely:-

(i) Labour Commissioner, Government of Rajasthan - Chairperson

(ii) A representative from the Department of Skills Planning and Entrepreneurship, Government of Rajasthan, dealing with skill development - Member

(iii) Director, Employment Department, Government of Rajasthan - Member

(iv) Two technical experts in wage determination as nominated by the State Government - Members

(v) Additional Labour Commissioner (IR), Government of Rajasthan - Member Secretary.

(3) The State Government may, on the advice of the technical committee referred to in sub-rule (2), categorize the occupations of the employees into four categories that is to say unskilled, semi-skilled, skilled and highly skilled by modifying, deleting or adding any entry in the categorization of such occupations specified in Schedule.

(4)The technical committee referred in sub-rule (2) shall while advising the State Government under sub-rule (3) take into account, to the possible extent, the national classification of occupation or national skills qualification frame work or other similar frame work for the time being formulated to identify occupations.

5. Interval for revision of variabledearness allowance.-The revision of dearness allowance shall be made twice in a year i.e. on 1stApril and 1st October on the basis of price index prepared by the Labour Bureau, Ministry of Labour and Employment, Government of India.

6. Number of hours of work which shall constitute a normal working day.-(1) No employee shall be required or allowed to work in an establishment for more than forty-eight hours in a week.

(2) If an employee works on daily basis in an establishment, the period of work of such employee shall be so arranged that inclusive of his interval for rest, shall not spread over for more than ten and half hours per day.

(3) If the employee works in the establishment for six days in a week, the period of work of an employee shall be so arranged that inclusive of his interval for rest shall not spread over for more than ten and half hours per day and the seventh day of the said week for the employee shall be a paid holiday.

(4) If the employee works in the establishment for less than six days in a week arising due to provision of flexibility in working hours, the period of work of an employee shall be so arranged that inclusive of his interval for rest shall not spread over for more than twelve hours per day and the remaining days of the said week for the employee shall be paid holidays:

Provided that the flexibility in working hours shall be permitted with the consent of negotiating union or negotiating council or with the consent of majority of employees in the absence of negotiating union or negotiating council.

(5) No employee shall be allowed to work for more than five hours continuously before he has had an interval for rest of at least half an hour.

(6) The provisions of sub-rule (1), (2), (3), (4) and (5) shall, in the case of an employee employed in agricultural employment, be subject to such modifications as may, from time to time, be determined by the State Government.

7. Weekly day of rest.- (1) Subject to the provisions of this rule, an employee shall be allowed rest of one day or more than one day, as the case may be, every week, hereinafter referred to as the rest days, which in case of six day week shall ordinarily be Sunday and in case less of than six day week shall include Saturday and Sunday, but the employer may fix any other days of the week as the rest days for any employee or class of employees:

Provided that in a six day working week or less than six days working week, as the case may be, the remaining days of the week shall be paid rest days for such employees:

Provided further that an employee shall be entitled for the rest days under this sub-rule if he has worked under the same employer in case of six day week for a continuous period of not less than six days and in case of less than six day working week for a continuous period of the stipulated number of working days, as the case may be.

Provided also that the employee shall be informed of the days fixed as the rest days and of any subsequent change in the rest days before the change is effected, by display of a notice to that effect at a conspicuous place in the place of employment.

Explanation: For the purpose of computation of the continuous period of not less than six days or the stipulated number of working days in a week specified in the second proviso to this sub-rule,-

(a) any day on which an employee is required to attend for work but is given only an allowance for attendance and is not provided with work;

(b) anyday on which an employee is laid off on payment of compensation under the Industrial Relations Code, 2020 (Central Act No. 35 of 2020); and

(c) any leave or holiday, with or without pay, granted by the employer to an employee in the period of six days or during the stipulated number of working days of a week as the case may be, immediately preceding the rest days,

shall be deemed to be days on which the employee has worked.

(2) Any such employee shall not be required or allowed to work on the rest day unless he has or will have a substituted rest day for a whole day on one of the working days in a week immediately before or after the rest day:

Provided that no substitution shall be made which will result in the employee working for more than ten days consecutively without a rest day for a whole day.

(3) Where in accordance with the sub-rule (1) and (2), any employee works on a rest day and has been given a substituted rest day on any one of the working days before or after the rest day, the rest day shall, for the purpose of calculating the weekly hours of work, be included in the week in which the substituted rest day occurs.

(4) An employee shall be granted for rest day wages calculated at the rate applicable to the next preceding day and where he works on the rest day and has been given a substituted rest day, then, he shall be paid wages for the rest day on which he worked, at the overtime rate and wages for the substituted rest day at the rate applicable to the next preceding day:

Provided that in case of six day week where,-

(a) the minimum rate of wages of the employee as notified under the Code has been worked out by dividing the minimum monthly rate of wages by twenty- six; or

(b) the actual daily rate of wages of the employee has been worked out by dividing the monthly rate of wages by twenty-six and such actual daily rate of wages is not less than the notified minimum daily rate of wages of the employee, then, no wages for the rest day shall be payable; and

(c) the employee works on the rest day and has been given a substituted rest day, then, he shall be paid, only for the rest day on which he worked, an amount equal to the wages payable to him at the overtime rate;

and, if any dispute arises whether the daily rate of wages has been worked out in accordance with the provisions of this proviso, the Labour Commissioner, Rajasthan or any other officer appointed by the State Government may, on application made to him in this behalf, decide the same, after giving an opportunity to the parties concerned to make written representations**.**

Provided further that in case of an employee governed by a piece-rate system, he shall be paid wages for the rest day on which he works, at the overtime rate and wages for the substituted rest day at the rate applicable to the next preceding day.

Explanation: For the purposes of this sub-rule 'next preceding day' means the last day on which the employee has worked, which precedes the rest day or the substituted rest day, as the case may be and where the substituted rest day falls on a day immediately after the rest day, the next preceding day means the last day on which the employee has worked, which precedes the rest day.

(5) The provisions of this rule shall not operate to the prejudice of more favourable terms, if any, to which an employee may be, entitled under any other law or under the terms of any award, agreement or contract of service, and in such a case, the employee shall be entitled only to more favourableterms aforesaid.

Explanation: For the purposes of this rule, 'week' shall mean a period of seven days beginning at midnight on Saturday night.

8. Night shifts.-Where an employee in an employment works on a shift which extends beyond midnight, then,-

(a) a rest day for the whole day for the purposes of rule 7 shall, in this case means a period of twenty-four consecutive hours beginning from the time when his shift ends; and

(b) the following day in such a case shall be deemed to be the period of twenty-four hours beginning from the time when such shift ends, and the hours after midnight during which such employee was engaged in work shall be counted towards the previous day.

9. The extent and conditions for the purposes of sub-section (2) of section 13.- The number of working hours for certain categories of employees under sub-section (2) of section 13 may exceed the normal working hours, specified in rule 6:

Provided that the overtime of these categories of employees shall be as per section 14.

10. Longer wage period.-The longer wage period for the purposes of minimum rate of wages under section 14 shall be by the month.

11. Circumstances under clause (ii) of the proviso to section 10.-An employee shall not be entitled to receive wages for a full normal working day under section 10, if he is not entitled to receive such wage under any other Labour law for the time being in force.

CHAPTER III
PAYMENT OF WAGES

12. Recovery under sub-section (4) of section 18.-Where the total deductions authorized under sub-section (2) of section 18 exceed fifty percent of the wages of an employee, the excess shall be carried forward and recovered from the wages of succeeding wage period or wage periods, as the case may be, in such installments so that the recovery in any month shall not exceed the fifty percent of the wages of the employee in that month.

13. The authority under sub-section (1) of section 19.- The authority as notified by the State Government having jurisdiction over the place of work of the employee concerned shall be the authority for the purposes of sub-section (1) of section 19.

14. The manner of exhibiting the notice under sub-section (2) of section 19.- A notice referred to in sub-section (2) of section 19 shall be displayed in physical form or electronically in Hindi, English and local language at the conspicuous places in the premises of the work place, in which the employment is carried on, so that every concerned employee would be able easily to read the contents of the notice and a copy of the notice shall be sent electronically or by registered post to the inspector-cum-facilitator having jurisdiction.

15. The procedure under sub-section (3) of section 19.- The employer shall give an intimation electronically or in writingspecifying therein the detailed particulars for obtaining the approval of the imposition of fine to the Authority referred to in rule 13 who shall, before granting or refusing the approval, give opportunity of being heard to the employee and the employer concerned and shall dispose of the matter within 30 days from the date of receiving such intimation, failing which, it shall be deemed to be approved.

16. Intimation of deduction.- (1) Where an employer makes any deduction in pursuance of the proviso to sub-section (2) of section 20, he shall make intimation electronically of by registered post of such deduction to the Inspector-cum-Facilitator having jurisdiction within 10 days from the date of such deduction explaining therein the reason of such deduction.

(2) The Inspector-cum-Facilitator shall, after receiving intimation under sub-rule (1), examine such intimation and if he finds that the explanation given therein is in contravention of any provision of the Code or the rules made there

under, he shall initiate appropriate action under the Code against the employer within 30 days from the date of receipt of such intimation.

17. Procedure for deduction under sub-section (2) of section 21.-Any employer desiring to make deduction for damages or loss under sub-section (1) of section 21 from the wages of an employee shall,-

(i) explain to the employee personally and also in writing the damage or loss of goods expressly entrusted to the employee for custody or for loss of money for which he is required to account and how such damages or loss is directly attributable to the neglect or default of the employee; and

(ii) give the employee an opportunity to submit any explanation and thereafter deduction for any damages or loss, if made, shall be intimated to the employee within fifteen days from the date of such deduction.

18. Conditions regarding recovery of advance under section 23.-The recovery, of,-

(i) advances of money given to an employee after the employment begins under clause (b) of section 23;or

(ii) advances of wages to an employee not already earned under clause (c) of section 23, as the case may be, shall be made by the employer from the wages of the concerned employee in installments determined by the employer, so as any or all installments in a wage period shall not exceed fifty percent of the wages of the employeesubject to the ceiling specified in rule 12 in that wage period and the particulars of such recovery shall be recorded in the register maintained in Form-I**.**

19. Deduction under section 24.-Deductions for recovery of loans granted for house building or other purposes approved by the State Government, and the interest due in respect thereof shall be, subject to any direction made or circular issued by the State Government, from time to time, regulating the extent to which such loans may be granted and the rate of interest that shall be payable thereon.

CHAPTER IV

STATE ADVISORY BOARD

20. Constitution of the Board.-(1) The Board shall consist of the persons to be nominated by the State Government representing employers and employees as specified in clauses (a) and (b) of sub-section (6) of section 42 and the independent persons as specified in clauses (c) of that sub-section.

(2) The persons representing employers as referred to in clause (a) of sub-section (6) of section 42 shall be twelve and the persons representing employees referred to in clause (b) of that sub-section shall also be twelve.

(3) The independent persons specified in clause (c) of sub-section (6) of section 42 to be nominated by the State Government shall consist of the following, namely:-

(i) the Chairperson;

(ii) four members- each of whom, shall be a professional in the field of wages and labour related issues;

(4) The State Government shall, while nominating the members of the Board, take into account that the independent members under sub-rule (3) shall not exceed one-third of the total members of the Board and **o**ne- third of the members of the Board shall be women.

21. Meeting of the Board.- The Chairperson may, subject to the provisionsof rule 23, call a meeting of the Board, at any time, he thinks fit:

Provided that on requisition in writing from not less than one half of the members, the Chairperson shall call a meeting within thirty days from the date of the receipt of such requisition.

22. Notice of meetings.- The Chairperson shall fix the date, time and place of every meeting and a notice in writing containing the aforesaid particulars along with a list of business to be conducted at the meeting shall be sent to each member by registered post and electronically at least fifteen days before the date fixed for such meeting:

Provided that in the case of an emergent meeting, notice of seven days only may be given to every member.

23. Functions of Chairperson.- The Chairperson shall,-

(i) preside at the meetings of the Board;

(ii) decide agenda of each meeting of the Board; and

(iii) where in the meeting of the Board, if any issue has to be decided by voting, conduct the voting and count or cause to be counted the secret voting in the meeting.

24. Quorum.-No business shall be transacted at any meeting unless at least one-third of the members and at least one representative member each of both the employers and an employee are present:

Provided that, if at any meeting less than one-third of the members are present, the Chairperson may adjourn the meeting to a date not later than seven days from the date of the original meeting and it shall thereupon be lawful to dispose of the business at such adjourned meeting irrespective of the number of members present.

Provided further that the date, time and place of such adjourned meeting shall be intimated to all the members electronically or by a Registered post.

25. Disposal of business of the Board.- All business of the Board shall be considered at a meeting of the Board, and shall be decided by a majority of the votes of members present and voting and in the event of an equality of votes, the Chairperson shall have a casting vote:

Provided that the Chairperson may, if he thinks fit, direct that any matter shall be decided by the circulation of necessary papers and by securing written opinion of the members.

Provided further that no decision on any matter under the preceding proviso shall be taken, unless supported by not less than two-thirds majority of the members.

26. Method of voting.- Voting in meeting of the Board shall ordinarily be by show of hands, but if any member asks for voting by ballot, or if the Chairperson so decides, the voting shall be by secret ballot and shall be held in such manner as the Chairperson may decide.

27. Proceedings of the meetings.- (1) The proceedings of each meeting of the Board showing inter alia the names of the members present thereat shall be forwarded to each member and to the State Government as soon after the meeting as possible, and in any case, not less than seven days before the next meeting.

(2) The proceedings of each meeting of the Board shall be confirmed with such modification, if any, as may be considered necessary at the next meeting.

28. Summoning of witnesses and production of documents.-(1) The Chairperson may summon any person to appear as a witness if required in the course of the discharge of his duty and require any person to produce any document.

(2) Every person who is summoned and appears as a witness before the Board shall be entitled to an allowance for expenses incurred by him in accordance with the scale for the time being in force for payment of such allowance to witnesses appearing before a Civil Court.

29. Appointment of the committees.- The State Government may appoint as many committees under clause (a) of sub-section (1) of section 8, as it considers necessary for the purposes specified in that clause.

30. Term of office of members of the Board.- (1) The term of office of the Chairperson or a member, as the case may be, shall be normally two years, commencing from the date of appointment or nomination, as the case may be, under sub-section (4) of section 42:

Provided that such Chairperson or a member shall, notwithstanding the expiry of the said period of two years, continue to hold office until his successor is appointed or nominated, as the case may be.

(2) An independent member of the Board nominated to fill a casual vacancy shall hold office for the remaining period of the term of office of the member, in whose place he is nominated.
(3) The official members of the Board shall hold office till they are replaced by respective such other official members.
(4) Notwithstanding anything contained in sub-rule (1), (2), and (3), the members of the Board shall hold office during the pleasure of the State Government.

31. Travelling allowance.- The Chairman and every member of the Board, shall be entitled to draw travelling and halting allowance for any journey performed by him in connection with his duties at the rates and subject to the conditions applicable to a Class-I officer of the State Government.

32. Officers and Staff.- The State Government may provide a Secretary not below the rank of Additional Labour Commissioner to the Government of Rajasthan, other officers and staff to the Board, as it may think necessary for the functioning of the Board.

33. Eligibility for re-nomination of the members of the Board.-An outgoing member shall be eligible for re-nomination for the membership of the Board for not more than total two terms.

34. Resignation of the Chairperson and other members of the Board.- (1) A member of the Board, other than the Chairperson, may, by giving notice in writing to the Chairperson, resign his membership and the Chairperson may resign by a letter addressed to the State Government.
(2) A resignation shall take effect from the date of communication of its acceptance or on the expiry of 30 days from the date of resignation, whichever is earlier.
(3) When a vacancy occurs or is likely to occur in the membership of the Board, the Chairperson shall submit a report to the State Government immediately and the State Government shall, then, take steps to fill the vacancy in accordance with the provisions of the Code.

35. **Cessation of membership**.- If a member of the Board, fails to attend three consecutive meetings, without prior intimation to the Chairperson, he shall, cease to be a member thereof.

36. Disqualification.-(1) A person shall be disqualified for being nominated as, and for being a member of the Board,-

(i) if he is declared to be of unsound mind by a competent court; or

(ii) if he is an un-discharged insolvent; or

(iii) if before or after the commencement of the Code, he has been convicted of an offence involving moral turpitude.

(2) If any question arises whether a disqualification has been incurred under sub-rule (1), the decision of the State Government thereon shall be final.

CHAPTER V

PAYMENT OF DUES ANDCLAIMS etc.

37. Payment under clause (a) of sub-section (1) of section 44.-(1) (a) Every employee shall make a declaration in Form-X, nominating a person conferring the right to receive the amount that may stand in his credit at the event of his death before that amount standing to his credit has become payable or where the amount has become payable, before payment has been made.

(b) If the employee has a family at the time of making nomination, the nomination shall be in favour of the spouse or the spouse in preference followed by one or more members of his family:

Provided that nomination made by an employee having a family in favour of a person other than member of his family shall be invalid.

Provided further that a fresh nomination towards his spouse shall be made by the employee on his marriage and any nomination made before such marriage shall be deemed to be invalid.

(c) Where the nomination is wholly or partly in favour of a minor, the employee may appoint a major person of his family, to be the guardian of the minor nominee or where there is no major person in the family, he may at his discretion, appoint any other person to be a guardian of the minor nominee.

(d) If the employee nominates more than one member, he shall specify in the nomination, the amount or share payable to each of his nominees at his own discretion so as to cover the whole of the amount that may stand to his credit.

(2) Where any amount payable to an employee under the Code is due after his death or on account of his whereabouts not being known, and the amount could not be paid to the nominee of the employee until the expiry of three months from the date the amount had become payable, then, such amount shall be deposited by the employer with the authority notified by the State Government having jurisdiction, who shall disburse the amount to the person nominated by the employee after ascertaining his identity within two months of the date on which the amount was so deposited with him.

38. Deposit of the undisbursed dues under clause (b) of sub-section (1) of section 44.- (1) Where any amount payable to an employee under this Code remains undisbursed because either no nomination has been made by such employee or for any other reason, such amounts could not be paid to the nominee of employee until the expiry of six months from the date the amount had become payable, all such amounts shall be deposited by the employer with the Authority as notified by the State Government having jurisdiction before the expiry of the fifteenth day after the last day of the said period of six months, through bank transfer or demand draft of a scheduled bank in favour of the Authority.

(2) The amount referred to in sub-rule (1) shall be deposited by the employer with the Authority as notified by the State Government, having jurisdiction through bank transfer or through a crossed demand draft obtained from any scheduled bank in India drawn in favour of such Authority.

39. Manner of dealing with the undisbursed dues under clause (b) of sub-section (1) of section 44.-(1) The amount referred to in sub-rule (1) of rule 38 deposited with the Authority having jurisdiction shall remain with him and be invested in the State Government Securities or deposited as a fixed deposit in a scheduled bank.

(2) The Authority having jurisdiction will exhibit, as soon as may be possible, a notice containing such particulars regarding the amount as the Authority considers sufficient for information at least for fifteen days on the notice board and also publish such notice in any one newspaper being circulating in the language commonly understood in the area in which undisbursed wages were earned.

(3) Subject to the provision of sub-rule (4), the Authority having jurisdiction shall release the amount to the nominee or to that person who has claimed such amount, as the case may be**,** in whose favour such Authority has decided, after giving the opportunity of being heard, the amount to be paid.

(4) If the undisbursed amount remains unclaimed for a period of seven years, the same shall be dealt within the manner as directed by the State Government from time to time in this behalf.

CHAPTER VI

FORMS, REGISTERS AND WAGE SLIP

40. Form of a single application.-(1) A single application, may be filed under sub-section (5) of section 45 in Form-II manually or electronically along with documents specified in the said Form.

(2) Where an application under sub-section (5) of section 45 is entertained, the authority shall serve upon the employer electronically or by registeredpost a notice in Form-VIII to appear before him on the date specified in the notice with all relevant documents and witnesses, if any, and shall inform the applicant of the date so specified.

(3) If the employer or his representative fails to appear on the specified date, the authority may hear and determine the application exparte.

(4) If the applicant or his representative fails to appear on the specified date without any reasonable cause shown in advance, the authority may dismiss the application.

41. Appeal.-(1) Any person aggrieved by an order passed by the authority under sub-section (2) of section 45 may prefer an appeal under sub-section (1) of section 49 in Form-III electronically or by registered post, along with documents mentioned by the appellant in the said Form, to the appellate authority having jurisdiction:

Provided that no appeal by an employer shall be admitted unless at the time of preferring the appeal, the appellant has deposited the amountpayable under the direction appealed against with the appellate authority.

(2) Where an appeal under sub-section (1) of section 49 is entertained, the appellate authority shall serve upon the respondent electronically or by speed post a notice in Form-IX to appear before him on the date specified in the notice and shall inform the appellant of the date so specified.

(3) The appellate authority shall after hearing the appellant and the respondent shall, by order, decide the appeal.

42. Form of register, etc..- (1) Every employer of all establishments to which the Code applies shall maintain under sub-section (1) of section 50, electronically or in physical form in the formats appended to these rules, the following registers:-

(i) Employee Register in Form-IV,

(ii) Register of Wages, Overtime, Advances, Fines and Deductions for Damage and Loss in Form-I, and

(iii) Attendance Register-cum-Muster Roll in Form-V.

(2) All fines and all realizations thereof referred to in sub-section (8) of section 19 shall be recorded in a register to be kept by the employer in Form-I appended to these rules, electronically or otherwise and the authority referred to in said sub-section (8) shall be the Authority having jurisdiction, as notified by the State Government.

(3) All deductions and all realizations referred to in sub-section (3) of section 21 shall be recorded in a register to be kept by the employer in Form-I appended to these rules, electronically or otherwise.

(4) Every employer shall display a notice under sub-section (2) of section 50 in Form-VI along with abstract of the Code.

(5) Registers required to be maintained under these rules shall be preserved for a period of five years after the date of last entry made therein.

43. Wage slip.-Every employer shall issue wage slips, electronically or otherwise to the employees in Form-VII on or before payment of wages.

44.Manner of holding enquiry under sub-section (1) of section 53.- (1) When a complaint is filed before the officer appointed under sub-section (1) of section 53, hereinafter in this rule referred to as the officer, in respect of the offences referred to in said sub-section either by an officer authorised for such purpose by the StateGovernment or by an employee aggrieved or a Trade Union under the Industrial Relations Code, 2020 (Central Act No. 35 of 2020) or an Inspector-cum-Facilitator, the officer**,** after considering such evidences as produced before him by the complainant, is of the opinion that an offence has been committed, shall issue summons to the offender on the address specified in the complaint fixing a date for his appearance.

(2) If the offender to whom the summons has been issued under sub-rule (1) appears or is produced before the officer, he shall explain the offender the

offence complained against him and if the offender pleads guilty, the officer shall impose penalty on him in accordance with the provisions of the Code and when the offender does not plead guilty, the officer shall take evidence of the witnesses produced by the complainant on oath and provide opportunity of cross examination of the witnesses so produced.

(3) The officer shall record the statement of the witnesses on oath and in cross examination in writing and take the documentary evidence on record.

(4) The officer shall, after the complainant's evidence is complete, provide opportunity of defence to the accused person and the witnesses produced by the accused shall be cross examined after their statements on oath by the complainant and documentary evidence in defence shall be taken on record by the officer.

(5) The officer shall after hearing the parties and considering the evidences both oral and documentary decide the complaint in accordance with the provisions of the Code.

45. The manner of composition of offences under sub-section (1) of section 56.-(1) An accused person desirous of making composition of offence under sub-section (1) of section 56, may make an application in Form-VIII electronically or manually to the Gazetted Officer notified under said sub-section (1).

(2) The Gazetted Officer referred to in sub-rule (1), shall, on receipt of such application, satisfy himself as to whether the offence is compoundable or not under the Code and if the offence is compoundable and the accused person agrees for the composition, compromise the offence for a sum of fifty per cent of the maximum fine provided for such offence under the Code, to be paid by the accused within the time specified in the order of composition issued by such officer.

(3) Where the offence has been compromised under sub-rule (2) after the institution of the prosecution, then, the officer shall send a copy of such order made by him for intimation to the officer referred to in sub-section (1) of section 53 for needful action under sub-section (6) of section 56.

CHAPTER VII

MISCELLANEOUS

46. Timely Payment of Wages.-Where the employees are employed in an establishment through contractor, then, the company or firm or association or any other person who is the proprietor of the establishment shall pay to the contractor the amount payable to him or it, as the case may be, before the date of payment of wages so that payment of wages to the employees shall be made positively in accordance with the provisions of section17.

Explanation: For the purpose of this rule, the expression firm shall have the meaning as assigned to it in the Indian Partnership Act, 1932 (Central Act No. 9 of 1932).

47. Responsibility for payment of minimum bonus.- Where in an establishment, the employees are employed through contractor and the contractor fails to pay minimum bonus to them under section 26, then, the company or firm or association or other person as referred to in the proviso to section 43 shall, on the written information of such failure, given by the employees or any registered trade union or unions of which the employees are members and on confirming such failure, pay such minimum bonus to the employees.

48. Inspection Scheme.- (1) For the purposes of the Code and these rules, there shall be formulated an inspection Scheme by the Labour Commissioner with the approval of the State Government.

(2) In the inspection scheme referred to in sub-rule (1), apart from other structural facts, a number shall be specified in the scheme for each Inspector-cum-Facilitator and establishment.

49.Annual Return.- The return under these rules shall be filed electronically by every employer of an establishment to which the Code applies in the relevant columns of the Form specified for such purpose in the rules made under the Occupational, Safety Health and Working Conditions Code, 2020 (Central Act No. 37 of 2020). A copy of such return shall also be forwarded electronically to the Labour Bureau, Ministry of Labour and Employment, Government of India.

50. Repeal and savings.-(1) On and from the date of commencement of these rules,-

(i) The Rajasthan Payment of Wages Rules, 1961;

(ii) The Rajasthan Payment of Wages (Procedure) Rules, 1961;

(iii) The Rajasthan Payment of Wages (Unclaimed Amount) Rules, 1972;

(iv) The Rajasthan Payment of Wages (Manner of Recovery of Excess Deductions) Rules, 1966;

(v) The Rajasthan Minimum Wages Rules, 1959;

(vi) The Rajasthan Minimum Wages (Undisbursed Amount) Rules, 1961; and

(vii) Rajasthan Ease of Compliance to Maintain Registers under various Labour Laws Rules, 2017,

are hereby repealed.

(2) The repeal of the rules specified in sub-rule (1) shall not,-

(i) revive anything not in force or existing at the time of such repeal; or

(ii) affect the previous operation of any rules so repealed and orders or anything duly done or suffered thereunder;

(iii) affect any right, privilege, obligation, or liability acquired, accrued or incurred under the rules so repealed or orders issued under such repealed rules;

(iv) affect any investigation, inquiry, verification, adjudication and any other legal proceedings or recovery of arrears or remedy in respect of any such rights, privilege, obligation, liability, forfeiture or punishment, as aforesaid, and any such investigation, inquiry, verification proceedings, adjudication and other legal proceeding or recovery of arrears or remedy may be instituted, continued or enforced, and any penalty, fine, interest, forfeiture or punishment may be levied or imposed as if these rules had not been so repealed; or

(v) affect any proceedings including that relating to an appeal, revision, review or reference, instituted before, on or after the commencement of these rules and such proceedings shall be continued under the said repealed rules as if these rules had not come into force and the said rules had not been repealed.

(3) The mention of the particular matters referred to in sub-rules (2) above shall not be held to prejudice or affect the general application of provisions of the General Clauses Act, 1897 (Central Act No. 10 of 1897) with regard to the effect of repeal.

FORM-I

[see rule 18, 42 (1), (2) and (3)]

Register of Wages, Overtime, Fine, Deduction for damage and Loss

Name oftheEstablishment:

Name oftheOwner:

PAN/TAN of theEmployer:

Labour Identification Number (LIN):

Sr. No. in Employee Register	Name of the employee with father /	Designation / Department	Duration of Payment of Wages (Monthly/Fortnightly /Weekly/Daily/Piec	Wage Period From-To	Total no. of days worked during	Total overtime (hours worked or production	Rates of wages		
							Basic	DA	Allowances

	husband's name		e rated)		the period	in case of piece workers)			
1	2	3	4	5	6	7	8	9	10

Overtime earning	Gross Payment	Deductions						
		Employee Contribution to EPF	Employee Contribution to ESIC	Other deductions	Fine imposed	Nature of acts and omissions for which fine imposed with date	Damage or loss caused to the employer by neglect or default of the employee	Amount of deductions for damages or loss
11	12	13	14	15	16	17	18	19

Total Deductions	Total amount of wages paid	Date of Payment	Signature of Employee or Bank A/c with date of remittance
20	21	22	23

Employer's Signature

FORM-II

[see rule 40]

[SINGLE APPLICATION UNDER SUB-SECTION (5) OF SECTION 45]

BEFORE THE AUTHORITY APPOINTED UNDER SUB-SECTION (1) OF SECTION 45

OF THE CODE ON WAGES, 2019 (Central Act No. 29 of 2019) ……

Application No……..of 20…….

Between……..……Applicant

(Through employees concerned or registered trade union or Inspector- cum-Facilitator

Address……..……

…….

And

……

……

Address……

The application states as follows:

(1) The applicant(s) whose name(s) appear in the attached schedule was/were/has/have been employedfrom……to…….
as……...(category)in…….(establishment)
Shri/M/s……..…engaged
in…….(nature of work) which is/are covered by the Code on Wages, 2019.

(2) The opponent(s) is/are the employer(s) within the meaning of section 2(l) of the Code on Wages,2019.

(3) (a)The applicant(s) has/ have been paid wages at less than the minimum rates of wages fixed for their category (categories) of employment(s) under the Code by Rs…. ……..Per day for the period(s) from……to…….
(b) The applicant(s) has/ have not been paid wages at Rs…….. Per day for the weekly days of rest from to…
(c)The applicant(s) has/ have not been paid wages at overtime rate(s) for the periodfrom……..to….....
(d)The applicant(s) has/have not been paid wages for period from……to…….
(e)Deductions have been made which are in contravention of the Code, from the wage(s) of the applicant(s) as per details specified in the annexure appended with thisapplication.
(f)The applicant(s) has/have not been paid minimum bonus for the accounting year……..

(4) The applicant(s) estimate(s) the value of relief sought byhim/ them on each amount asunder:

(a) Rs…….

(b) Rs…….

(c) Rs…….

Total Rs…….

(5) The applicant(s), therefore, pray(s) that a direction may be issued under

section 45(2) of the Code on Wages, 2019for;

(a) payment of the difference between the wages payable under the Code and the wages actuallypaid,payment of remuneration for the days ofrest

(b) payment of wages at the overtimerates,

(c) compensation amounting toRs……

(6) The applicant(s) do hereby solemnly declare(s) that the facts stated in this application are true to the best of his/their knowledge, belief andinformation.

Dated…….

Signature or thumb-impression of the employed person(s), or official of a registered trade union duly authorized or Inspector- cum-Facilitator.

Note: The applicant(s), if required, may append annexures containing details, with this application.

FORM-III

(see rule 41)

Appeal under Section 49 (1) of the Code on Wages, 2019

Before the Appellate Authority under the Code on Wages, 2019

.....

.....

(Name and Address of appellant)

Vs.

.....

.....

(Name and Address of respondent)

DETAILS OF APPEAL:

1. Particulars of the order against which the appeal is made : Number and date:

The authority who has passed the impugned order:

Amount awarded:

Compensation awarded , if any **:**

2. Facts of the case:

(Give here a concise statement of facts in a chronological order, each paragraph containing as nearly as possible a separate issue or fact).

3. Grounds for appeal:

4. Matters not previously filed or pending with any other Court or any AppellateAuthority:

The appellant further declares that he had not previously filed any appeal, writ petition or suit regarding the matter in respect of which this appeal has been made, before any Court or any other Authority or Appellate Authority nor any such appeal, writ petition or suit is pending before any of them.

5. Reliefs sought :

In view of the facts mentioned above the appellant prays for the following relief(s) :— [Specify below the relief(s) sought]

6. List ofenclosures:

1.

2.

3.

4.

Date :

Place :

Signature of the appellant.

For office use

Date of filing or

Date of receipt by post Registration No.

Authorized Signatory

FORM-IV

EMPLOYEE REGISTER

[see rule 42(1)]

Name of theEstablishment : Name of theEmployer:

Name of theOwner : PAN/TAN of theEmployer:

Labour Identification Number (LIN):

Sl. No.	Employee Code	Name	Surname	Gender	Father's / Spouse Name	Date of Birth	Nationality	Education Level	Date of Joining	Desig-nation	Category (HS/S/SS/U S)*	Type of Employ-ment
1	2	3	4	5	6	7	8	9	10	11	12	13

Mobile No.	UAN	PAN	ESIC IP No.	AADHAAR	Bank A/c Number	Bank	Branch (IFSC)	Present Address	Permanent Address
14	15	16	17	18	19	20	21	22	23

Service Book No.	Date of Exit	Reason for Exit	Mark of Identification	Photo	Specimen Signature/Thumb Impression	Remarks
24	25	26	27	28	29	30

*(Highly Skilled/Skilled/Semi skilled/Unskilled)

Employer

FORM-V

[see rule 42 (1)]

Muster Roll & Details of Overtime Work

Name of the Establishment:

Address of the Establishment:

Name of the Employer / Manager:

S. No	Name of Workmen	Father/ husband's Name	Designation / Department	Attendance 1,2,3,4,5, …	Total Days Present	No of Rest Days	No of Leaves	Total days for which payment made	Dates on which OT work done	Hours of OT work	Total Hours of OT Work
1	2	3	4	5	6	7	8	9	10	11	12

Signature of Employer

FORM-VI

[see rule-42 (4)]

Notice

1. Name & address oftheEstablishment:
2. Name & address of the Employer /Manager:
3. Rates of Minimum Wages:

a. Unskilled

b. Semi-skilled

c. Skilled

d. Highly skilled

4. Wage Period
5. Date of Payment
6. Working Hours

7. Weekly day of Rest

8. Name and address of the Inspector cum Facilitator;

Date: Employer

FORM-VII

[see rule 43]

WAGE SLIP

Date of issue:

Name oftheEstablishment…….
Address…..…….

……Period……..

1. Name of employee **:**
2. Father's /Spouse name **:**
3. Designation**:**
4. UAN**:**
5. Bank AccountNo.**:**
6. Wage period**:**
7. Rate of wages payable: a.)Basic b.)D.A. c.) other allowances
8. Total attendance/unit of work done:
9. Overtime wages:
10. Gross wages payable :
11. Totaldeductions: a.) PF b). ESI c.) Others
12. Net wages paid:

Employer / Pay-in-charge signature

FORM-VIII

[see rule 45]

APPLICATION UNDER SUB-SECTION (4) OF SECTION 56 FOR COMPOSITION OF OFFENCE

1. Name of applicant :

2. Father's / Spouse name :

3. Address of the applicant :

4. Particulars of the offence: ….. ..……..……
……
……..
……
……..……

5. Section of the Code under which the offence is committed ::……

6. Maximum fine provided for the offence under the Code:……

7. Whether prosecution against the applicant is pending or not……

8. Whethertheoffenceisfirstoffenceortheapplicanthadcommittedanyotheroffencepriortotheoffence. If yes, then, full details of theprior offence.
……
……

……..…
……..

9. Any other information which the applicant desires toprovide
……
……
……
……..
……..……
……
……..

Dated:

Applicant (Name and signature)

Form-IX
{see rule 41(2)}
Notice for the disposal of Appeal

To……..
…….

Whereas under the code on Wages, 2019 (29 of 2019), a claim/appeal against you has been presented before me, a copy is enclosed; you are hereby called upon to appear before me either in person, or by any person duly authorized and able to answer all material questions relating to the application, or who shall be accompanied by some person able to answer all questions on date……. Month…. Year…. At …… o'clock in the fore/afternoon to answer the claim/appeal. You must be prepared to produced on that date all the witnesses upon whose evidence and documents upon which you intend to rely in support of your defence.

Take notice that, in default of your appearance on the date mentioned above, the application will be heard and determined in your absence.

Given under my hand and seal, this day……
20….
Seal

Authority
under the code on wages, 2019

FORM-X
[see rule 37]

NOMINATION FORM

1. Name of person making nomination:
(In block letters):
2. Father's/Spouse's Name:
3. Date of Birth:
4. Sex:
5. Marital Status:
6. Address:
Permanent:
Temporary:

I hereby nominate the person(s)/cancel the nomination made by me previously and nominate the person(s) mentioned below to receive any amount due to me from the employer in the event of my death:-

Name of nominee/nominees	Address	Nominee's relationship with the employee	Date of Birth	Total amount of share of accumulations in credit to be paid to each nominee	If the nominee is minor, name, relationship, and address of the guardian who may receive the amount during the minority of nominee
(1)	(2)	(3)	(4)	(5)	(6)

1. Certified that I have no family and if I acquire a family hereafter, the above nomination shall be deemed as cancelled.
2. Certified that my father/mother is/are dependent upon me.
3. Strike out whichever is not applicable.

Signature or the thumb impression of the employee

CERTIFICATE BY EMPLOYER

Certified that the above declaration and nomination has been signed/thumb impressed before me by Shri/Smt/Ku .....employed in my establishment after he/she has read the entry/entries or have been read over to him/her by me and got confirmed by him/her in either of the cases.

Signature of the employer or other authorised officer of the establishment and Designation

Place:

Date:

Name and Address of the Factory/Establishment and rubber stamp thereof

Schedule

(see rule 4 (3))

Classification of Workers / Employees
1. Unskilled Workers- Beldar, Chowkidar, Jamadar, Coolie, General Helper, Cleaner, Dhobi (Washerman), Sweeper, Housekeeping staff, Peon, Waterman, Petrol Loader, Furnace Attendant, General Worker, Watchman, Gateman, Shepherd, Cyclist Rider, Night Watchman, Pump Attendant, Sanitary Jamadar, Valet, Key Keeper, Spade Man, Road Roller Attendant, Basket Carrier, Loader, Stone Breaker, Brick Kiln Worker, Stone Cutter, Stone Crusher Worker, Oilman, Trolley Puller, Bell Attendant, Liner, Labourer, Gardener, Mason Helper, Crane Attendant, Boiler Attendant, Driver Assistant, Head Helper, Unskilled Worker, Messenger, Mazdoor, Wardman, Window Cleaner, Bill Posting Helper, Sanitation Worker, Bellman, Bell Packer, Valeting Worker, Cook Helper, Helper Worker, House Carrier, Grass Cutter, Water Carrier, Nursery Worker, Animal Care Helper, Store Helper, Gatekeeper, Vegetable Cutter, Delivery Boy, Court Roller, Peon (Office), Peshkar Helper, Pumpman, Shamiyana Installer, Tent Pitcher, Canvas Fitter, Darzi& Shoppers, Carrier, Hammal, Peasant,

(and any other category not specifically named but performing unskilled work)
2. Semi-Skilled Workers- Mistri, Surveyor, Carpenter Apprentice, Tailor, Stone Dresser and Cutter, Helper Wireman, Mate, Helper, Workshop Helper, Assistant Painter, Welder, Oiler, Blacksmith, Foreman, Mate Supervisor, Assistant Conductor, Head Watchman, Assistant Fitter, Assistant Carpenter, Assistant Turner, Assistant Plumber, Assistant Mechanic, Assistant Tinker, Tyre Fitter, Dent Fitter, Polish Man, Tubewell Operator, Lineman, Line Inspector, Timekeeper, Junior Clerk, Band Checker, Doorman, Clerk-cum-Store Assistant, Assistant Wire Fitter, Assistant Store Keeper, Heavy Machine Helper, Assistant Operator, Assistant Heavy Vehicle Driver, Wireman, Lineman, Tapman, Welder, Mason, Carpenter, Plumber, Solderer, Paper Man, Glass Fitter, Distributor, Grinding Man, Cutter, Coil Winder, Paper Folder, Examiner, Gate Keeper & Ticket Collector, Dispatch Man, Lift Operator, Foundry Man, Labour Supervisor, Coalman, Mechanic, Store Worker, Watchman, Inspection Man, Delivery Man, Controller, Petrol Delivery Man, V-Man, Cone Button Maker, Chair Maker, Cycle Repairer, Carton Fitter, Baker, Shunter Worker, Tape-cum-Stapler, Jute Assembler, Loom Jointer, Ring Doffer, Rope Maker, Machine Helper, Sanitary Jamadar, Helper Man, Mason, Cement Mixer, Roller Driver, Entry Man, (and any other category not named but performing semi-skilled work)
3. Skilled Workers- Mason, Mistri, Cook, Carpenter, Blacksmith, Tailor, Goldsmith, Machinist, Turner, Plumber, Wireman, Electrician, Foreman, Spinning Operator, Engine Driver, Mechanical Diesel & Petrol Driver, Light Vehicle Driver, Heavy Vehicle Driver, Tractor Driver, Road Roller Driver, Truck Driver, Motor Vehicle Driver, Machine Operator, Clerk, Typist, Cashier, Library Clerk, Timekeeper, Store Clerk, Supervisor, Fire Officer, Overseer, Water Supply Inspector, Chief Sanitary Inspector, Boiler Attendant, Fireman, Machineman, Conductor, Drivers, Turner, Artisans, Coach Builders, Upholsterers, Maintenance Helpers, Dressers and (other skilled categories performing skilled work) Path Inspector, Compounder, Draftsman, Gardener, Shift Supervisor, Machine Fitter, Turner, Pressman, Binder, Lower Division Jobber, Lower Division Sizer, Weaving Jobber, Cloth Jobber, Dyer, Calenderer, Machinist, Fitter, Water Tester, Polisher, Radio Servicer, Auto Mechanic, Sheet Metal Worker, Furniture Designer, Jeweller, Barber, Carpenter, Photographer, Artist, Auto Electrician, Umbrella Maker, Lathe Operator, Screen Maker, Machine Maker, Narsi (Tailor), In-charge, Security Man, Godown Keeper, Elevator Operator, Television Operator, Foreman, Moulder, Fabricator, Timekeeper, Coal Master, Hall Maker, Tailor, Salesman, Purification Operator, Paper Cutting Operator, Assistant Manager, Electrician, Supervisor, Computer Operator, Offset/Litho/Mono Operator, Die Printer, Carpenter, Proof Reader (Checker), Block Printer, Block Maker, Stage Designer, Binder, Stitcher, Caster, Linotype Printer, Dyer, Compositor, Social Worker, Sewing Machine Driver, Plate Cutter, Dyeing Master, Container Man, Foreman, Carding Machine Operator, Boiling Press Operator, Jobber, Cloth Inspector, Weighing Scale Operator, Welder, Ramming, Printing Paster, Boiler Attendant, Felt Master, Cushion & Mattress Fitter, Colour Master, Motor Mechanic, Scooter Mechanic, Driller, Draftsman, Vulcanizer, Grinder, Brakesman, Press Fitter, Elevator, Coal Pressman, Blast Operator, Miller or Mill Machine Operator, Generator Operator, Quality Control Man, Path Inspector, Laboratory Assistant, Laboratory Attendant, Junior Technical Assistant, Assistant and any other category whose name is not specified but who performs skilled work.
4, Highly Skilled (Highly Skilled Workers)- Stenographer, Accountant, Computer Operator, Manager, Sales Supervisor, Sales Representative, Medical Representative, Chemist, Librarian, Office Superintendent, Lab Technician, Telephone Operator, ECG Technician, Radiographer, Manpower Planner, Pharmacist, Senior Technical Assistant,

Cook/Chef, Nurse, and any other category whose name is not specified but who performs highly skilled work.

[F14(8)(1)wage code/shram/vidhi/2021/00068]
By the order of Governor,
Om Prakash Saharan,
Additional Labour Commissioner and
Joint Secretary to the Government.

Government Central Press, Jaipur.